
**PART A
GENERAL**

WAC

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WAC 296-62-005 Occupational health and environmental control--Foreword.

(1) Foreword.

- (a) Modern industry is changing at an ever-increasing pace. New inventions, discoveries and developments cause changes in every facet of the industrial process. In keeping with this changing technology is the necessity to provide an adequate guide for the protection of working men and women. This chapter is for the guidance of both labor and management and to call particular attention to the way in which modernization and updating of the standards can be accomplished.
- (b) This chapter is intended to cover as fully as is practical the environment in which work is performed. In addition to the suggestions made herein, the services of modern occupational medicine must also be considered. Occupational medicine with its specialized techniques for examination, diagnosis, and treatment adds another protection for the worker as he encounters newly-developed materials and methods.
- (c) With the full realization that close cooperation between government and industry, labor and management, and all the health sciences, is essential, this chapter is promulgated for the health of all the workmen coming under the jurisdiction of the department of labor and industries.
- (d) This chapter is promulgated in accordance with the applicable requirements as outlined in the Washington State Administrative Procedure Act (chapter 34.04 RCW) and other applicable statutes.

[Order 73-3, 296-62-005, filed 5/7/73; Order 70-8, § 296-62-005, filed 7/31/70, effective 9/1/70.]

WAC 296-62-010 Purpose and scope. The rules in this chapter are designed to protect the health of employees and help to create a healthy workplace by establishing requirements to control health hazards. Requirements for chemical hazard communication programs, workplace lighting levels and exposure records are in chapter 296-800 WAC, the safety and health core rules.
[Statutory Authority: RCW 49.17.010, .040, .050. 01-11-038 (Order 99-36), § 296-62-010, filed 05/09/01, effective 09/09/01. Order 73-3, § 296-62-010, filed 5/7/73; Order 70-8, § 296-62-010, filed 7/31/70, effective 9/1/70; Section I, effective 8/1/63.]

WAC 296-62-020 Definitions applicable to all sections of this chapter. Unless the context indicates otherwise, words used in this chapter shall have the meaning given in this section.

- (1) **“Adequate” or “effective”** means compliance with terms and intent of these standards.
- (2) **“Appendix”** means references or recommendations to be used as guides in applying the provisions of this chapter.

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- (3) **“Approved”** means approved by the director of the department of labor and industries or his authorized representative: Provided, however, That should a provision of this chapter state that approval by an agency or organization other than the department of labor and industries is required, such as Underwriters' Laboratories or the Mine Safety and Health Administration and the National Institute for Occupational Safety and Health, the provision of WAC 296-24-006 shall apply.
- (4) **“Authorized person”** means a person approved or assigned by the employer to perform a specific type of duty or duties or to be at a specific location or locations at the job site.
- (5) **“Coal tar pitch volatiles”** as used in WAC 296-62-07515, Table I, include the fused polycyclic hydrocarbons which volatilize from the distillation residues of coal, petroleum, (excluding asphalt), wood, and other organic matter. Asphalt (CAS 8052-42-4, and CAS 64742-93-4) is not covered under the “coal tar pitch volatiles” standard.
- (6) **“Competent person”** means one who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective action to eliminate them.
- (7) **“Department”** means the department of labor and industries.
- (8) **“Director”** means the director of the department of labor and industries, or his designated representative.
- (9) **“Employer”** means any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in this state and employs one or more employees or who contracts with one or more persons, the essence of which is the personal labor of such person or persons and includes the state, counties, cities, and all municipal corporations, public corporations, political subdivisions of the state, and charitable organizations: Provided, That any persons, partnership, or business entity not having employees, and who is covered by the industrial insurance act shall be considered both an employer and an employee.
- (10) **“Hazard”** means that condition, potential or inherent, which can cause injury, death, or occupational disease.
- (11) **“Occupational disease”** means such disease or infection as arises naturally and proximately out of employment.
- (12) **“Qualified”** means one who, by possession of a recognized degree, certificate, or professional standing, or who by extensive knowledge, training, and experience, has successfully demonstrated ability to solve or resolve problems relating to the subject matter, the work, or the project.
- (13) **“Shall” or “must”** means mandatory.
- (14) **“Should” or “may”** means recommended.
- (15) **“Suitable”** means that which fits, or has the qualities or qualifications to meet a given purpose, occasion, condition, function, or circumstance.
- (16) **“Worker,” “personnel,” “person,” “employee,”** and other terms of like meaning, unless the context of the provision containing such term indicates otherwise, mean an employee of an employer who is employed in the business of their employer whether by way of manual labor or otherwise and every person in this state who is engaged in the employment of or who is working under an independent contract the essence of which is their personal labor for an employer whether by manual labor or otherwise.

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- (17) **“Work place”** means any plant, yard, premises, room, or other place where an employee or employees are employed for the performance of labor or service over which the employer has the right of access or control, and includes, but is not limited to, all work places covered by industrial insurance under Title 51 RCW, as now or hereafter amended.
- (18) Abbreviations used in this chapter:
- (a) **“ANSI”** means American National Standards Institute.
 - (b) **“ASHRE”** means American Society of Heating and Refrigeration Engineers.
 - (c) **“BTU”** means British thermal unit.
 - (d) **“BTUH”** means British thermal unit per hour.
 - (e) **“CFM”** means cubic feet per minute.
 - (f) **“CFR”** means Code of Federal Register.
 - (g) **“CGA”** means Compressed Gas Association.
 - (h) **“ID”** means inside diameter.
 - (i) **“MCA”** means Manufacturing Chemist Association or Chemical Manufacturer Association (CMA).
 - (j) **“NEMA”** means National Electrical Manufacturing Association.
 - (k) **“NFPA”** means National Fire Protection Association.
 - (l) **“OD”** means outside diameter.
 - (m) **“WAC”** means Washington Administrative Code.
 - (n) **“WISHA”** means Washington Industrial Safety and Health Act (chapter 80, Laws of 1973).

[Statutory Authority: Chapter 49.17 RCW. 94-15-096 (Order 94-07), § 296-62-020, filed 7/20/94, effective 9/20/94. Statutory Authority: RCW 49.17.040 and 49.17.050. 83-24-013 (Order 83-34), § 296-62-020, filed 11/30/83. Statutory Authority: RCW 49.17.040, 49.17.050, 49.17.240, chapters 43.22 and 42.30 RCW. 80-17-015 (Order 80-21), § 296-62-020, filed 11/13/80; Order 73-3, § 296-62-020, filed 5/7/73; Order 70-8, § 296-62-020, filed 7/31/70, effective 9/1/70; Section II, effective 8/1/63.]

WAC 296-62-040 Unconstitutionality clause. In the event that any section, paragraph, sentence, clause, phrase or work of this chapter is declared unconstitutional or invalid for any reason the remainder of said standard or this chapter shall not be affected thereby.

[Order 73-3, § 296-62-040, filed 5/7/73; Order 70-8, § 296-62-040, filed 7/31/70, effective 9/1/70; Rule 4.010, effective 8/1/63.]

WAC 296-62-050 Application for waiver or variances. See WAC 296-350-700, **Variance from WISHA rules.**

[Statutory Authority: RCW 49.17.010, .040, .050. 01-11-038 (Order 99-36), § 296-62-050, filed 05/09/01, effective 09/09/01. Order 73-3, 296-62-050, filed 5/7/73; Order 70-8, § 296-62-050, filed 7/31/70, effective 9/1/70; Rule 5.010, effective 8/1/63.]